

FUTURE COMMITTEE MEETINGS

**Committee 3** (Salisbury Village) – J. Wilkes, ch., L. Clark, v.ch, V. Stewart, D. Young  
Friday, August 27 at 8:00 a.m.  
Council Chamber

**Legislative Committee A** (Sign Ordinance) – B. Miller, ch., J. Wilkes, v. ch., L. Manning, V. Stewart, D. Young  
Friday, September 3 at 8:00 a.m.  
Second floor conference room – City Hall

**Committee 1** (Z-12-04) – S. Reitz, ch., L. Manning v. ch., J. Smith, A. Stout, Jr.  
Tuesday, September 7 at 7:30 a.m.  
First floor conference room – City Hall

**Committee 1** (N. Main Small Area Study) – S. Reitz, ch., L. Manning v. ch., J. Smith, A. Stout  
Monday, September 13 at 8:30 a.m.  
Council Chamber – City Hall

**Legislative Committee B** (Flea Markets and Concessions) – L. Clark, ch., S. Reitz, v. ch., R. Queen, J. Johnson, A. Stout  
September 15 at 8:30 a.m.  
First floor conference room – City Hall

There being no further business to come before the Board, the meeting was adjourned.

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Co-Chairman, Jeff Smith

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Co-Chairman, Rodney Queen

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Secretary, Diana Moghrabi

Janet Gapen made a staff presentation concerning secondary dwelling units on single-family lots, which is not addressed adequately in the City Ordinance.

1. Add the following definition to Section 4.02:

*Accessory dwelling unit* – A separate, complete housekeeping unit, but not a mobile home, located on the same lot as a single-family dwelling, but in a detached building that is clearly subordinate to the principal building.

2. Add *accessory dwelling units* as a use permitted by right in the following districts:

R-8 (Section 8.07) (cumulative through M-2)

SFC (Section 8.09)

With the following provisions:

- Only one (1) accessory dwelling unit shall be permitted on a lot, within the existing footprint of a secondary structure at least five (5) years old.
- Principal building must be at least 2,000 sq. ft. in size.
- Accessory unit shall not exceed 30% of the size of the principal building.
- Owner of the lot must occupy as their primary residence either the principal building or the accessory dwelling unit.

**Joe Morris** explained that this is a “stop gap” measure and this will be addressed again in the new land development ordinance. Brian Miller wanted more time to consider and asked about individual situations and scenarios.

A motion was made and approved to move past 6:00 p.m.

**Brian Miller** made a motion to approve the zoning text amendment. Albert Stout seconded the motion with all members voting AYE. (9-0)

A motion was made and approved to bring **Diane Young** back to the Board.

## COMMITTEE REPORTS

Brian Miller decided that in the interest of time reports were tabled for the next Planning Board meeting.

The Downtown South Phase rezoning is prepared to schedule a Courtesy Hearing for September 14.

**Diane Young** sees the residents as the best gauge for a development. She cautioned the Board should be careful when looking at site plans and stated she would not vote in favor of this plan without a traffic impact study.

**Len Clark** thought a 50-foot buffer was a part of the requirement when this came to the Planning Board for the rezoning. Jeff Smith said it was discussed but not a requirement.

City records indicate Castlewood Drive is a public street. It has been recognized as a public street ever since it was dedicated for public use. Questions surfaced whether Castlewood Drive is private or public property.

**Rodney Queen** thinks this is a good plan, but would not object to the plan going to committee. **Brian Miller** agreed that this should go to committee. **Jeff Smith** felt there were still some issues to be addressed. He agreed with **Diane Young** that DOT's traffic threshold is sometimes higher than the neighborhood thinks it should be. He feels this is the best process at this time. Mr. Smith also would like to see this go to committee. Brian made a motion to send G-12-04 to committee. **Rodney Queen** seconded the motion with all members voting AYE. (Mitzi Clement excused herself for work at 5:30 p.m., before the vote was taken)

- (c) **G-09-03**      The Gables at Kepley Farm, 1900 Block Faith Road,  
Tax map-403, Parcel – 001, Zoning RD-B

Mr. Jim Burgess, for Burgess & Associates, submitted the previously approved group development site plan for the construction of a 260 lot single family residential community. The community is to be located in the 1900 block of Faith Road. This submittal is necessary due to the expiration of the approval. All zoning criteria have been met. The TRC recommends reapproval of the application, as submitted, noting that approval is for the first 100 lots only.

**Mr. Burgess**, 125 Stone Ridge Drive, hopes that the future Land Development Code will allow permits an extended period before expiration.

**Rodney Queen** made a motion to approve G-09-03; Albert Stout seconded the motion with all members voting AYE. (10-0)

### ZONING TEXT AMENDMENTS

Diane Young has a vested interest in the Accessory Dwelling Text Amendment. A motion to remove Diane from the Board for this discussion was approved by all.

There was a great deal of discussion about street access, traffic flow, inter-connectivity and other traffic concerns. Dan Mikkelson helped to answer the numerous questions about traffic engineering and NC DOT standards.

#### Public Comment

**Lane Yates**, 123 N. Main Street, (developer) discussed the buffer at the entrance near Castlewood. The development has been moved to a left design – away from Castlewood. He described the aesthetics of the plan. He also told of his conversations with NC DOT. A traffic study will be done at another level of development. Castlewood neighbors and the developer met on August 16 at the home of a resident. He received positive feedback from many who attended this meeting. He hopes the Planning Board will support this plan as it moves to City Council.

**Jay Dees**, 121 E. Kerr Street, is an attorney representing Castlewood Neighborhood Association. This is adequately labeled a conceptual plan. The setbacks and buffer on the west side concerns Castlewood residents; they would prefer a 50- foot buffer. The traffic impact to the neighborhood should be studied carefully. The people of Castlewood inherit the issues that are not addressed today. He looks forward to working with a committee to cover these concerns.

**Bob Hunt**, 500 Swaim Court, has concerns about whether or not a traffic signal would be installed at the entrance of the development. He does not trust that this is the best design for traffic flow and safety.

**Dorcuss Hunt**, 500 Swaim Court, hopes that the Planning Board and City Council will continue to protect the neighborhood. The number of vehicles that will be using the primary entrance and exit will create a traffic bottleneck. She has concerns about emergency vehicles being able to get in and out of the development.

**Joe Riley**, 102 Swaim Court, is the president of Castlewood Neighborhood Association. He wanted a show of hands of Planning Board members who had visited the neighborhood to look at the site; all Board members raised their hands. He truly appreciates the landscaping as it currently exists and would hate to see it change.

#### Board Discussion

In answer to the Board's many questions, **Dan Mikkelson** gave a history of the traffic concerns at Castlewood. There has not been a history of traffic to warrant a signal that would interrupt the traffic flow on Jake Alexander Boulevard. Once the traffic volumes are met, a signal can be warranted. He thinks the design is good because it does have multiple entrances. The developer is proposing to widen Castlewood Drive in response to NC DOT's sometimes-excessive requirements. He told Len Clark that he would like to see more detail in the street plan, but feels the plan would function within peoples' expectations for an urban area. Mr. Mikkelson told Brian Miller that conflicts in backing movement are not typically addressed in private parking lot design.

Board Discussion

**Rodney Queen** made a motion to approve SUP-06-04. **Albert Stout** seconded the motion with all members voting AYE.

**GROUP DEVELOPMENT SITE PLAN**

David Phillips made the staff presentations for all group development site plans.

- (a)     **G-01-75**         **Salisbury High School**  
                                     500 Lincolnton Road, Tax Map 013, Parcel 135, Zoning B-1

The school submitted an application for a revision to the sidewalk requirement on the previously approved group development site plan. The Technical Review Committee (TRC) recommends that the site plan approved by Planning Board on March 9, 2004 and City Council on March 16, 2004 with the addition of sidewalks on South Caldwell Street, be upheld.

Public Comment

None

Board Discussion

**Sandy Reitz** suggested there is no place better suited for sidewalks. The Planning Board should support what was previously decided. Mrs. Reitz made a motion to continue with the original recommendation from March 9, 2004 requiring sidewalks along the entire section of South Caldwell Street. The motion was seconded by **Albert Stout**, with all members voting AYE.

- (b)     **G-12-04**         **Salisbury Village**  
                                     400 Block Jake Alexander Boulevard West  
                                     Tax Map 061, Parcel 176, Zoning B-& w/HD Overlay

Mr. Dan Norman, of Ramsay, Burgin, Smith Architects, Inc. submitted the application for the subdivision of the property in the 400 block of Jake Alexander Boulevard West into one primary parcel and seven outparcels. The TRC recommends approval of the application, as revised, and would like to draw attention to the fact that the developer is voluntarily showing sidewalks on the site plan.

This is a mixed-use group development. This review is for the parent tract (192 apartment units) described as three-story buildings, 24 units per building, a clubhouse, two garage structures, and a swimming pool. The perimeter of the property does meet landscaping requirements. There will be two detention basins to assist in the control of stormwater runoff.

(b) Board Discussion

**Rodney Queen** made a motion to send this case to committee for further study. **Albert Stout** seconded the motion.

**Brian Miller** felt that the use is fine, but there may be some justification in allowing a parking exemption. Requiring parking in front of this property may destroy the character of the street.

All members voted AYE to send Z-12-04 to committee.

**SPECIAL USE PERMIT**

**SUP-06-04 Mr. & Mrs. Paul Fisher – 202 S. Fulton Street**

David Phillips made a staff presentation. A tree had recently fallen and destroyed Mr. Fisher's garage at his residence. This request is to put the structure back on the same footprint at the rear property line. Ordinance Section 12.29 Special Use Permit as allowed by Section 7.10 (3) (b) is the guideline for this process. Any structural plans will have to be approved by the Historic Preservation Committee (HPC). This case could conceivably go to City Council on September 7 and to HPC on September 9.

Those speaking in favor of this special use permit:

**Gray Stout**, 5 Acorn Lane, is the architect for Mr. and Mrs. Paul Fisher. Mr. Stout reiterated what Mr. Phillips had said and offered letters from neighbors Dee McGee at 425 West Fisher Street, and Barbara Coombs of Rowan Oak House Bed and Breakfast in support of putting the garage back where it was. He requested approval from the Planning Board to rebuild this garage in the previous location.

**Joan Ivan**, 217 South Ellis Street, is in favor of putting the garage back on the same footprint. The tree that destroyed the previous structure fell on a fair day and was truly an "act of God."

**Edward Norvell**, 128 South Fulton, lives with his wife Susan across the street from the Fisher family. Historically, outbuildings in this neighborhood have been built on the lot line. Mr. Norvell named a number of neighbors who also have out buildings that are built on the property line. The new ordinance rewrite that is currently in committee is looking at more dense urban development and fewer setbacks making this structure appropriate for an urban neighborhood.

Those speaking in opposition to the special use permit: None

The chairman closed the Courtesy Hearing on this case.

The Salisbury Planning Board held its regular meeting on Tuesday, August 24, 2004, in the City Council Chamber of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

**PRESENT:** Len Clark, Mitzi Clement, Lou Manning, Brian Miller, Rodney Queen, Sandy Reitz, Jeff Smith, Valerie Stewart, Albert Stout, Rev. Jerry Wilkes, and Diane Young

**ABSENT:** Dr. James Johnson

**STAFF:** Janet Gapen, Dan Mikkelson, Diana Moghrabi, David Phillips

The meeting was called to order by Co-Chairman **Jeff Smith**. The minutes of the August 10 meeting were approved as published.

### **ZONING MAP AMENDMENTS**

#### **Z-12-04 D. Smith & M. Oleen – 216 N. Jackson Street**

<b>LOCATION:</b>	North side of the 200 block of N. Jackson Street
<b>Size:</b>	0.18 acres
<b>From:</b>	R-6A Multi-Family Residential
<b>To:</b>	B-1 Office Institutional
<b>Parcel:</b>	Salisbury Twp. tax map 010, parcel 111

(a) **Co-Chairman Smith** convened a Courtesy Hearing on Z-12-04.

Janet Gapen, Planner II, made a staff presentation. This property is just outside the local historic district overlay. The property across the street is zoned B-1 and First Baptist Church is located directly behind this property. There is a 50-foot frontage on the property and it is 141 feet deep. Since this is a residential property being converted to office use, it will need to be brought to current parking and landscaping standards. The parking requirement is one space for every 200 square feet. The landscaping requirement is Type B – a minimum width of 10 feet on three sides. David Phillips added that it would require an 8-foot planting strip along the front. This property may require an alternate method of compliance for landscaping. The owner would be required to meet off-street parking. Visitors would have to be able to enter and exit the property in a forward motion.

Those speaking in favor of the zoning change request: None

Those speaking in opposition to the zoning change request: None

The chairman closed the Courtesy Hearing on this case.